PIPELINE SAFETY EMERGENCY SPECIAL PERMITS

The Pipeline and Hazardous Materials Safety Administration has new authority under 49 U.S.C. § 60118(c) to grant special permits in emergency situations. The following information should help operators in requesting an emergency special permit.

What is an emergency special permit?

An emergency pipeline special permit is an order by which PHMSA may temporarily modify compliance with Federal pipeline regulations for owners or operators. An emergency special permit will be granted if it is in the public interest, is not inconsistent with pipeline safety, and is necessary to address an actual or impending emergency involving pipeline transportation, including an emergency caused by a natural or manmade disaster.

PHMSA will post all granted emergency special permits on its website at http://www.phmsa.dot.gov/.

How long will the emergency special permits last?

PHMSA will determine on a case-by-case basis what duration is necessary to address the emergency. However, as required by statute, no emergency special permit may be issued for a period of more than 60 days. Each emergency special permit will automatically expire on the date stated on the permit.

Requesting Emergency Special Permits:
To request an emergency special permit, please send your request in writing via facsimile to the Crisis Management Center at # (202) 366-3768 or via email to Joy.Kadnar@dot.gov. For additional assistance, please contact Joy Kadnar in the Office of Pipeline Safety at (202) 281-9438.

Each request should include the following information:
1. Name of requestor and indication of whether requestor is an owner or operator;
2. Specific regulations from which the owner or operator seeks relief;
3. An explanation of the actual or impending emergency;
4. Specific reasons the special permit is necessary (e.g., lack of accessibility, damaged equipment, insufficient manpower);
5. A description of the pipeline for which special permit is sought, including:
    a. the mileage of pipeline to be covered and the Counties and States in which it is located,
    b. whether the pipeline is interstate or intrastate,*
    c. the year the pipeline was installed,
    d. all pipeline facilities such as pump and compressor stations that this permit will affect, and
    e. the material, thickness, diameter and operating pressure of the pipeline;

6. A statement indicating whether and how operating the pipeline pursuant to an emergency special permit is in the public interest (e.g., continuity of service, service restoration);
7. Proposed alternatives to compliance with the regulation (e.g., additional inspections and tests, shortened reassessment intervals);
8. Measures to be taken after the emergency situation or permit expires—whichever comes first--to confirm long-term operational reliability of the facility; and
9. A certification that operation of the owner or operator's pipeline under the requested emergency special permit would not be inconsistent with pipeline safety.

*This request process applies to those pipelines and facilities that PHMSA regulates. For those intrastate pipelines and facilities subject to State regulation, emergency special permits may be granted in accordance with applicable State law. PHMSA will work with the State in expediting the processing of a request.

Additional Pipeline Phone Numbers and Contact Information:

- **National Response Center:** For assistance in notifying the appropriate Federal, state, or local agency concerning any release or potential release discovered in your area, contact the National Response Center.
  - Phone: (800) 424-8802
- **Department of Transportation Crisis Management Cente**r:
  - Phone: (202) 366-1863
  - Fax: (202) 366-3768
- **PHMSA Office of Pipeline Safety:** For additional information on emergency special permits, contact Joy Kadnar in the Office of Pipeline Safety.
  - Phone: (202) 366-0568
  - Emergency Phone: (202) 281-9438
  - Fax: (202) 493-2311
  - Email: Joy.Kadnar@dot.gov